

Welfare Division

The practice of public welfare provision in the United States traces its roots to the English Elizabethan Poor Law of 1601, which made provision for the helpless, involuntarily unemployed, and vagrants, and the 1662 Law of Settlement, which solidified the principle of local responsibility for the poor. In England local responsibility was conceived in terms of the parish, but as provision for the poor was made in the United States local responsibility was based on the county.

The first Nevada Territorial Legislature in 1861 provided that County Commissioners were "vested with entire and exclusive superintendence of the poor in their respective counties." However, the law also placed a responsibility on various degrees of relatives to support the indigent. If there were no relatives available in Nevada, then the indigent became a county charge; but if there were local relatives who did not provide support, then the county would have a claim against them to the benefit of the County Poor Fund.

Section 3 of Article XIII of the 1864 Nevada Constitution stated: "The respective counties of the State shall provide as may be described by law, for those inhabitants who, by reason of age, infirmity or misfortunes, may have claim upon the sympathy and aid of Society." In 1867, the Legislature added a requirement for a minimum six months residence before application for relief.

In 1913, the Legislature created the Nevada Industrial Commission to provide for a state workmen's compensation program to provide for those who were injured in the course of their employment and their families.

In the early 1900s, there was national advocacy for relief programs to allow families to stay together after the death (or desertion) of the father, rather than continue the older practice of splitting up such families with the children going to "orphanages" and the only relief option for the mother being a "poor house." In 1915, the Nevada Legislature provided for "mother's pensions" for mothers and their children under 15, which ranged from \$25.00 to \$55.00 a month depending on the number of children. In 1921, the eligible age for children was raised to 16, and the maximum allowable payment to \$75.00.

In 1923, the Legislature provided for a system of old age pensions to be administered and financed at the county level, although it took two years for the program to come into operation. In the traditional mold of poor relief, there was a strict settlement requirement of a minimum of ten years prior residence in Nevada, a pension was not to exceed \$1.00 a day, property ownership was limited to \$3,000.00, and any aid given constituted a lien on the recipients' estate. However, in practice very little money was ever recovered.

The 1925 Legislature provided for a county relief fund for aid to the needy blind. The Board of County Commissioners could allow up to \$300.00 a year for a needy blind person who had been a county resident for at least one year. The maximum was raised to \$600.00 in 1929. This aid was funded from property taxes.

The mother's pensions, old age pensions, and aid to the needy blind were still county based programs and there was much variation in their administration from one county to another. As the Depression started, most of Nevada's social services were county administered and financed.

The Federal Emergency Relief Act of 1933 provided money for grants to states for unemployment relief. In order to benefit from this act, Nevada needed to have a state welfare agency and so, in 1933, the Legislature created the State Board of Charities and Public Welfare.

In 1934, the Nevada Emergency Relief Administration was established to coordinate the federal relief programs in the state.

In 1935, the State Board of Charities and Public Welfare was replaced by the State Board of Relief, Work Planning, and Pension Control which was intended to cooperate with federal and local governments in distributing relief funds. This Board was also given supervisory responsibilities in relation to county administration of the mother's pension scheme and poor relief generally. However, this provision could not be implemented because the state constitution granted authority over poor relief to the counties.

The federal Social Security Act of 1935 established a federal presence in public welfare that was intended to be ongoing rather than on an emergency basis. Under this new act, grants were available to states for programs of Old Age Assistance, Aid to Dependent Children, Maternal and Child Welfare, and Aid to the Blind. The Act required a single state agency to be responsible for administering these public assistance programs. With its constitutional granting of authority in poor relief matters to the counties, Nevada could not establish the statutory state agency required to obtain federal funds. Thus, on March 17, 1937, Section 3 of Article XIII of the Nevada Constitution was repealed by popular vote.

The 1937 Legislature created the State Board of Relief, Work Planning and Pension Control to be Nevada's single state agency to accept federal grants-in-aid. The Board established Divisions of Old Age Assistance, and Child Welfare Services within the new State Welfare Department. Old Age Assistance administered the pension program, but Child Welfare Services only provided case work services and no financial assistance. In 1939, the Legislature made the Welfare Department responsible for licensing foster homes. The Nevada Emergency Relief

Administration, with responsibility for certifying people for W.P.A. employment and other federal assistance programs, was made a Division of the Welfare Department. And in 1941, services to the blind were added.

In 1949, the Board of Relief, Work Planning and Pension Control and the Welfare Department were abolished by the Legislature and a newly constituted State Welfare Department established. This new Welfare Department reported to an advisory State Welfare Board which was responsible for selecting the Department's Director. Despite the creation of a single state agency for the purposes of accepting federal funds for categorical relief subsequent to the vote to repeal Section 3 of Article XIII of the Nevada Constitution, the law enacted in 1861 and added to in 1911 still provided that the Boards of County Commissioners were responsible for general relief and indigent medical care. Counties also retained responsibilities in relation to dependent and neglected children.

This division of responsibility between the state and the counties led to quite frequent friction and the two most populous counties (Clark and Washoe) operated with a considerable degree of independence in a number of areas.

In 1950, Aid to the Permanently and Totally Disabled was added to the provisions of the Federal Social Security

Act. Nevada did not participate in this program but left such provision to the counties.

In 1953, the Legislature provided that Nevada could accept federally matched Aid to the Blind funds under the terms of the Social Security Act. This replaced the former state-county plan with a federal-state one but retained the residence requirement that an applicant have lived in Nevada for at least 2 years out of the 9 preceding the application and at least 1 year immediately prior.

In every session of the Legislature from 1937 a bill was introduced to adopt the Social Security Act's Aid to

Dependent Children program and defeated, until 1955 when the Legislature agreed that this program should replace the Nevada Mother's Pensions. However, counties still were held responsible for part of the state's costs for this program.

In 1957, the Welfare Department established a Bureau of Services to the Blind. In the same year it also licensed for the first time group care facilities for the aged, handicapped, and the infirm.

In 1960, federal Medical Assistance to Aged was added to the provisions of the Social Security Act and Nevada did accept this. Also in 1960, the Legislature repealed the requirement for counties to pay a portion of the nonfederal Aid to Dependent Children costs.

In 1963, the Legislature created the Department of Health and Welfare and the former Welfare Department became one of seven Divisions within this Department. This reorganization also created a new Welfare Board.

In 1967, the Medicaid program was adopted in Nevada and known as State Aid to the Medically Indigent (SAMI).

The 1967 Legislature created the Department of Health, Welfare, and Rehabilitation.

Then, in 1973, there was

another reorganization of state government and the Welfare Division became part of the new Department of

Human Resources.

In 1973, Nevada passed implementing legislation for the 1972 federal Supplemental Security Income program, and in 1974 this program took over payments for the Old Age Assistance Program and Assistance to the Blind.

Aid to the Permanently and Totally Disabled had been added to Social Security in 1950, but Nevada only implemented this program in 1974. The Child Support Enforcement Program was implemented in 1975.

In the fall of 1973 the food stamp program came into operation in Clark and Washoe Counties, and on 1 July

1974 it was expanded to the other counties of the state.

The 1984 Child Health Assurance Program was implemented in Nevada in 1985 to provide Medicaid coverage to pregnant women in two parent families and children not otherwise eligible for public assistance.

In the late 1980s, the Welfare Division broadened its responsibilities to include administration of energy assistance programs and to act as a pass-through agency for the distribution of federal funds for the homeless.

In 1988 Nevada implemented the federal Aid to Families with Dependent Children - Unemployed Parent program. At the same time, the Comprehensive Employment and Training program was implemented in 1987 and the Job Opportunities and Basic Skills Training program in 1988. The former program was renamed New Employees of Nevada in 1995. Also in 1995, the Supporting Teens Achieving Real-life Success program was started to help teens stay in school.

In 1999 NRS 232.300 was amended to create the Department of Human Resources which became known in

2005 as the Department of Health and Human Services. The Department is under the direction of a director appointed by, responsible to, and serving at the pleasure of the Governor. Welfare was included in the new department along with the following divisions: Aging and Disability Services, Child and Family Services, Health, Health Care Financing and Policy, Mental Health and Developmental Services, and the Office of the Public Defender.

The development of welfare services in Nevada, as throughout the United States, has been marked by the

attempt to balance the concept of case work, which developed in the late 19th century and was oriented toward

making behavior changes in the client, with the older concept of poor relief and its distinction between the

"worthy" and the "unworthy" poor. Historically, Nevada was a leader in adopting such pre-New Deal programs as mother's pensions and old age assistance. However, subsequent to the passage of the Social Security Act,

Nevada was slow to take advantage of federal support for social welfare programs, and delayed implementing some programs for decades after they became available.